

## ADMINISTRATIVE - INTERNAL USE ONLY

From the Desk of Robert J. Eatinger

**NOTE FOR:** John A. Rizzo  
Paula A. Sweeney  
Douglas F. Garthoff  
Becky L. Rant  
L. Kay Oliver @ DA  
J. Barry Harrelson @ DA  
William H. McNair @ DO  
Eldon I. Hatch @ DA  
Kathryn I. Dyer @ DI  
George E. Muir @ DI  
Anthony R. Frasketi @ DST  
[redacted] @ DO  
Mark Mansfield  
David C. Christian  
Thomas J. Benjamin  
David P. Holmes

**FROM:** Robert J. Eatinger  
**DATE:** 06/22/95 10:23:44 AM  
**SUBJECT:** JFK Act Review - Procedures for Appealing to President

I spoke today with Marvin Krislov of the White House Counsel's Office. They have set up the following procedures for agency heads to appeal to the President the determinations of the JFK Assassination Records Review Board.

Within 7 days of receiving the notification letter from the Board, if the agency head wishes to appeal, he or his GC should send a letter to White House Counsel, attention Marvin Krislov, detailing the specific determinations that it wishes to appeal to the President. The letter should explain why the Board's decision should be reversed under the standards of the JFK Act. White House Counsel will make recommendations to the President within 3 weeks in order to meet the 30-day period. If necessary, White House Counsel will call for a meeting or other discussions to flush out the issue.

Mr. Krislov advised me that the White House Counsel will be predisposed to disclosure, so the agency heads should very carefully pick their disputes. Mr. Krislov encouraged the Agency to work out issues to the extent possible with the Board.

Mr. Krislov also added that if we know a particular issue will be appealed, that we may not want to wait for the formal notification letter from the Board to make Counsel's office aware of the issue and to brief our concerns.

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I advised Mr. Krislov that I would be his point of contact for CIA issues.

Finally, I advised Mr. Krislov that the DCI had received the first notification from the Board, but I did not currently know whether he would wish to appeal any of the determinations. I did state that there was some concern over the Board's decision to release the names of some Agency employees who had retired under cover.

CC:

Pamela D. Parker  
William T. Parsons